

Soviet Union, and Eastern European countries; and

[See main edition for text of (9)]

(b) Revocation or diminution of grants

(1) All recipients of Fulbright Academic Exchange and Humphrey Fellowship awards shall have full academic and artistic freedom, including freedom to write, publish, and create. No award granted pursuant to this chapter may be revoked or diminished on account of the political views expressed by the recipient or on account of any scholarly or artistic activity that would be subject to the protections of academic and artistic freedom normally observed in universities in the United States. The Board shall ensure that the academic and artistic freedoms of all persons receiving grants are protected.

(2) The J. William Fulbright Foreign Scholarship Board shall formulate a policy on revocation of Fulbright grants which shall be made known to all grantees. Such policy shall fully protect the right to due process as well as the academic and artistic freedom of all grantees.

(c) Program requirements

The President shall insure that all programs under the authority of the Bureau shall maintain their nonpolitical character and shall be balanced and representative of the diversity of American political, social, and cultural life. The President shall insure that academic and cultural programs under the authority of the Bureau shall maintain their scholarly integrity and shall meet the highest standards of academic excellence or artistic achievement.

(d) Administration of programs

The Bureau shall administer no programs except those operating under the authority of this chapter and consistent with its purposes.

(e) Office of Citizen Exchanges

There is established in the Bureau of Educational and Cultural Affairs an Office of Citizen Exchanges. The Office shall support private not-for-profit organizations engaged in the exchange of persons between the United States and other countries.

(As amended Pub. L. 101-246, title II, § 204(a)(2), 222(a), 223, Feb. 16, 1990, 104 Stat. 50, 55, 56.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a), (b)(1), and (d), was in the original "this Act", meaning Pub. L. 87-256, Sept. 21, 1961, 75 Stat. 527, as amended, known as the Mutual Educational and Cultural Exchange Act of 1961. For complete classification of this Act to the Code, see Short Title note set out under section 2451 of this title and Tables.

AMENDMENTS

1990—Subsec. (a)(8). Pub. L. 101-246, § 223, inserted "or through other programs designed to promote contact between the young peoples of the United States, the Soviet Union, and Eastern European countries" after "degree".

Subsecs. (b) to (d). Pub. L. 101-246, § 204(a)(2), added subsec. (b) and redesignated former subsecs. (b) and (c) as (c) and (d), respectively.

Subsec. (e). Pub. L. 101-246, § 222(a), added subsec. (e).

TRANSFER OF FUNCTIONS

Section 222(b) of Pub. L. 101-246 provided that: "There are hereby transferred to the Office of Citizen Exchanges on the date of enactment of this Act [Feb. 16, 1990] all functions carried out by the Office of Private Sector Programs on the day before such date."

§ 2461. United States-Soviet exchanges

(a) Financing of exchanges with repayments on Lend-Lease debts

The President is authorized to negotiate and implement an agreement with the Union of Soviet Socialist Republics under which repayments made by the Soviet Union on Lend-Lease debts to the United States would be used to finance the exchange of persons between the United States and the Soviet Union for educational, cultural, and artistic purposes. Exchanges authorized pursuant to this section shall be administered subject to the provisions of this chapter. Part of the funds repaid to the United States shall be in convertible currency for the purpose of paying the expenses associated with study and other exchange activities by Soviet citizens in the United States.

(b) Limitation on availability of funds

Funds made available for the purposes of this section shall be available only to the extent and in the amounts provided for in an appropriation Act.

(Pub. L. 87-256, § 113, as added Pub. L. 101-246, title II, § 224, Feb. 16, 1990, 104 Stat. 56.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original "this Act", meaning Pub. L. 87-256, Sept. 21, 1961, 75 Stat. 527, as amended, known as the Mutual Educational and Cultural Exchange Act of 1961. For complete classification of this Act to the Code, see Short Title note set out under section 2451 of this title and Tables.

CHAPTER 34—THE PEACE CORPS

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 2275, 2371, 2398, 4071c, 5424 of this title; title 5 section 8332; title 20 sections 1077, 1078, 1087dd, 1087ee, 1092; title 26 sections 912, 3121, 3122, 6051; title 42 sections 294d, 294n, 297b, 405, 409, 410, 12524, 12639.

§ 2504. Peace Corps volunteers

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2505, 2509 of this title; title 5 sections 8142, 8332; title 26 sections 912, 3401; title 42 section 409.

CHAPTER 35—ARMS CONTROL AND DISARMAMENT

SUBCHAPTER III—FUNCTIONS

Sec.

2577a.

Arms control verification.

- (a) Establishment of working group.
- (b) Information and data base.

SUBCHAPTER V—ON-SITE INSPECTION ACTIVITIES

2595.

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- 2595b. Authorizations of appropriations for On-Site Inspection Agency.
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## SUBCHAPTER I—GENERAL PROVISIONS

### § 2551. Congressional statement of purpose

#### SHORT TITLE OF 1989 AMENDMENT

Pub. L. 101-216, § 1, Dec. 11, 1989, 103 Stat. 1853, provided that: "This Act [enacting sections 2577a and 2595 to 2595c of this title, amending sections 2563, 2567, 2588, and 2589 of this title, and enacting provisions set out as notes under sections 2565 and 2567 of this title] may be cited as the 'Arms Control and Disarmament Amendments Act of 1989'."

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2595a of this title.

## SUBCHAPTER II—ORGANIZATION

### § 2562. Director of Agency; appointment; powers and duties

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2595a of this title.

### § 2563. Deputy Director of Agency; appointment; powers and duties

A Deputy Director of the Agency shall be appointed by the President, by and with the advice and consent of the Senate. The Deputy Director shall have direct responsibility, under the supervision of the Director, for the administrative management of the Agency, intelligence-related activities, security, and the Special Compartmental Intelligence Facility, and shall perform such other duties and exercise such other powers as the Director may prescribe. He shall act for, and exercise the powers of, the Director during his absence or disability or during a vacancy in said office. No person serving on active duty as a commissioned officer of the Armed Forces of the United States may be appointed Deputy Director.

(As amended Pub. L. 101-216, title I, § 102, Dec. 11, 1989, 103 Stat. 1853.)

#### AMENDMENTS

1989—Pub. L. 101-216 amended second sentence generally. Prior to amendment, second sentence read as follows: "The Deputy Director shall perform such duties and exercise such powers as the Director may prescribe."

### § 2565. Bureaus, offices and divisions of Agency

#### ARMS CONTROL IMPLEMENTATION AND COMPLIANCE RESOLUTION

Pub. L. 101-216, title I, § 104, Dec. 11, 1989, 103 Stat. 1854, provided that: "The Director of the United States Arms Control and Disarmament Agency should study, and report to the Congress on, the advisability of establishing in the Agency an arms control implementation and compliance resolution bureau, or other organizational unit, that would be responsible for—

- "(1) managing the implementation of existing and future arms control agreements;

"(2) coordinating the activities of the Special Verification Commission and the Standing Consultative Commission; and

"(3) preparing comprehensive analyses and policy positions regarding the effective resolution of arms control compliance questions."

### § 2567. Special Representatives for Arms Control and Disarmament Negotiations; appointment; powers and duties

The President may appoint, by and with the advice and consent of the Senate, two Special Representatives for Arms Control and Disarmament Negotiations, one of whom should serve as special representative for conventional arms control negotiations, and the other should serve as special representative and chief science advisor to the Director. The two Special Representatives shall perform their duties and exercise their powers under the direction of the President and the Secretary of State, acting through the Director.

(As amended Pub. L. 101-216, title I, § 103(a), Dec. 11, 1989, 103 Stat. 1853.)

#### AMENDMENTS

1989—Pub. L. 101-216 substituted ", one of whom should serve as special representative for conventional arms control negotiations, and the other should serve as special representative and chief science advisor to the Director. The two Special Representatives shall perform their duties and exercise their powers under the direction of the President and the Secretary of State, acting through the Director" for "who shall perform such duties and exercise such powers (under the direction of the President and the Secretary of State, acting through the Director) as the Director may prescribe with respect to international arms control and disarmament negotiations and matters relating thereto".

#### EFFECTIVE DATE OF 1989 AMENDMENT

Section 103(b) of Pub. L. 101-216 provided that: "The amendment made by subsection (a) [amending this section] shall apply with respect to individuals who are appointed as Special Representatives on or after the date of enactment of this Act [Dec. 11, 1989]."

## SUBCHAPTER III—FUNCTIONS

### § 2574. Negotiations and related functions

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2595a of this title.

### § 2577a. Arms control verification

#### (a) Establishment of working group

The President should establish a working group—

- (1) to examine verification approaches to a strategic arms reduction agreement and other arms control agreements; and

- (2) to assess the relevance for such agreements of the verification provisions of the Treaty Between the United States and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (signed at Washington, December 8, 1987).

**(b) Information and data base**

(1) The Agency shall allocate sufficient resources to develop and maintain a comprehensive information and data base on verification concepts, research, technologies, and systems. The Agency shall collect, maintain, analyze, and disseminate information pertaining to arms control verification and monitoring, including information regarding—

(A) all current United States bilateral and multilateral arms treaties; and

(B) proposed, prospective, and potential bilateral or multilateral arms treaties in the areas of nuclear, conventional, chemical, and space weapons.

(2) The Agency shall seek to improve United States verification and monitoring activities through the monitoring and support of relevant research and analysis.

(3) The Agency shall provide detailed information on the activities pursuant to this section in its annual report to the Congress.

(Pub. L. 101-216, title I, § 105, Dec. 11, 1989, 103 Stat. 1854.)

**CODIFICATION**

Section was enacted as part of the Arms Control and Disarmament Amendments Act of 1989, and not as part of the Arms Control and Disarmament Act which comprises this chapter.

**SUBCHAPTER IV—ADDITIONAL GENERAL PROVISIONS****§ 2581. General authority of Director****REFERENCES IN OTHER LAWS TO OS-16, 17, OR 18 PAY RATES**

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

**DELEGATION OF AUTHORITY TO MAKE CERTIFICATIONS UNDER SECTION 41(d) OF THE ARMS CONTROL AND DISARMAMENT ACT**

Memorandum of the President of the United States, Aug. 18, 1990, 55 F.R. 37693, provided:

Memorandum for the Director of the United States Arms Control and Disarmament Agency

By virtue of the authority vested in me as President by the Constitution and laws of the United States, including section 301 of title 3 of the United States Code, you are hereby delegated the authority set forth in section 41(d) of the Arms Control and Disarmament Act (22 U.S.C. 2581(d)) to certify that the employment of persons referred to in that section in excess of the number of days set forth in that section is necessary in the national interest.

You are authorized and directed to publish this memorandum in the Federal Register.

GEORGE BUSH.

**§ 2588. Use of funds**

Appropriations made to the Director for the purposes of this chapter, and transfers of funds to him by other Government agencies for such purposes, shall be available to him to exercise any authority granted him by this chapter, including, without limitation, expenses of print-

ing and binding without regard to the provisions of section 501 of title 44; purchase or hire of one passenger motor vehicle for the official use of the Director; entertainment and official courtesies to the extent authorized by appropriation; expenditures for training and study; expenditures in connection with participation in international conferences for the purposes of this chapter; and expenses in connection with travel of personnel outside the United States, including transportation expenses of dependents, household goods, and personal effects (including any such travel or transportation any part of which begins in one fiscal year pursuant to travel orders issued in that fiscal year, but which is completed after the end of that fiscal year), and expenses authorized by the Foreign Service Act of 1980 [22 U.S.C. 3901 et seq.], not otherwise provided for.

(As amended Pub. L. 101-216, title I, § 106, Dec. 11, 1989, 103 Stat. 1854.)

**AMENDMENTS**

1989—Pub. L. 101-216 inserted “(including any such travel or transportation any part of which begins in one fiscal year pursuant to travel orders issued in that fiscal year, but which is completed after the end of that fiscal year)” after “personal effects”.

**§ 2589. Appropriations****(a) Amount**

To carry out the purposes of this chapter, there are authorized to be appropriated—

(A) \$36,000,000 for the fiscal year 1990 and \$37,316,000 for the fiscal year 1991; and

(B) such additional amounts as may be necessary for fiscal years 1990 and 1991 for increases in salary, pay, retirement, other employee benefits authorized by law, and other nondiscretionary costs, and to offset adverse fluctuations in foreign currency exchange rates.

[See main edition for text of (b) to (d)]

(As amended Pub. L. 101-216, title I, § 101, Dec. 11, 1989, 103 Stat. 1853.)

**AMENDMENTS**

1989—Subsec. (a). Pub. L. 101-216 amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows:

“(1) To carry out the purposes of this chapter, there are authorized to be appropriated—

“(A) \$29,000,000 for the fiscal year 1988 and \$29,800,000 for fiscal year 1989; and

“(B) such additional amounts as may be necessary for each such fiscal year for increases in salary, pay, retirement, other employee benefits authorized by law, and other nondiscretionary costs, and to offset adverse fluctuations in foreign currency exchange rates.

“(2) Of the amounts authorized to be appropriated by paragraph (1)(A) for each of the fiscal years 1988 and 1989—

“(A) \$7,063,000 shall be available only to pay necessary expenses incurred in connection with arms control negotiations conducted with the Government of the Soviet Union on strategic arms reductions, intermediate-range nuclear forces, and space and defensive weapons;

“(B) not less than \$310,000 shall be available only for the program for visiting scholars in the field of

arms control and disarmament established under section 2568 of this title;

"(C) \$780,000 shall be used for external research to assist the Bureau of Verification and Intelligence in making assessments of possible new systems, devices, and capabilities for verification of arms control;

"(D) not more than \$1,580,000 may be used for any other external research program; and

"(E) a total of not more than \$3,000,000 may be used for all external research.

"(3) Amounts appropriated under this subsection are authorized to remain available until expended."

#### § 2592a. Annual report on Soviet compliance with arms control commitments

##### (a) Annual report

Not later than December 1 of each year, the President shall submit to Congress a report containing the findings of the President with respect to the compliance of the Soviet Union with its arms control commitments and any additional information necessary to keep Congress currently informed.

##### (b) Matters to be included

The President shall specifically include in each such report the following:

(1) A summary of the current status of all arms control agreements in effect between the United States and the Soviet Union.

(2) An assessment of all violations by the Soviet Union of such agreements and the risks such violations pose to the national security of the United States and its allies.

(3) A net assessment of the aggregate military significance of all such violations.

(4) A statement of the compliance policy of the United States with respect to violations by the Soviet Union of those agreements.

(5) What actions, if any, the President has taken or proposes to take to bring the Soviet Union into compliance with its commitments under those agreements.

##### (c) Contingent additional information

If the President in any second consecutive report submitted to Congress under this section reports that the Soviet Union is not in full compliance with all arms control agreements between the United States and the Soviet Union, the President shall include in such report an assessment of what actions are necessary to compensate for such violations.

##### (d) Classification of reports

Each report under this section shall be submitted in both classified and unclassified versions.

(Pub. L. 99-145, title X, § 1002, Nov. 8, 1985, 99 Stat. 705; Pub. L. 100-456, div. A, title IX, § 905(a), Sept. 29, 1988, 102 Stat. 2032.)

#### AMENDMENTS

1988—Pub. L. 100-456 amended section generally. Prior to amendment, section read as follows: "Not later than December 1, 1985, and not later than December 1 of each following year, the President shall submit to the Congress a report (in both classified and unclassified versions) containing, with respect to the compliance of the Soviet Union with its arms control commitments, the findings of the President and any additional information necessary to keep the Congress currently informed."

## SUBCHAPTER V—ON-SITE INSPECTION ACTIVITIES

### § 2595. Findings

The Congress finds that—

(1) under this chapter, the United States Arms Control and Disarmament Agency is charged with the "formulation and implementation of United States arms control and disarmament policy in a manner which will promote the national security";

(2) as defined in this chapter, the terms "arms control" and "disarmament" mean "the identification, verification, inspection, limitation, control, reduction, or elimination, of armed forces and armaments of all kinds under international agreement to establish an effective system of international control";

(3) the On-Site Inspection Agency was established in 1988 pursuant to the INF Treaty to implement, on behalf of the United States, the inspection provisions of the INF Treaty;

(4) on-site inspection activities under the INF Treaty include—

(A) inspections in the Soviet Union, Czechoslovakia, and the German Democratic Republic,

(B) escort duties for Soviet teams visiting the United States and the Basing Countries,

(C) establishment and operation of the Portal Monitoring Facility in the Soviet Union, and

(D) support for the Soviet inspectors at the Portal Monitoring Facility in Utah;

(5) the personnel of the On-Site Inspection Agency include civilian technical experts, civilian support personnel, and members of the Armed Forces; and

(6) the senior officials of the On-Site Inspection Agency include representatives from the United States Arms Control and Disarmament Agency and the Department of State.

(Pub. L. 87-297, title V, § 61, as added Pub. L. 101-216, title II, § 201, Dec. 11, 1989, 103 Stat. 1855.)

#### UNITED STATES PROGRAM FOR ON-SITE INSPECTIONS UNDER ARMS CONTROL AGREEMENTS

Pub. L. 101-189, div. A, title X, § 1014, Nov. 29, 1989, 103 Stat. 1547, provided that:

"(a) FINDINGS CONCERNING ON-SITE INSPECTION PERSONNEL.—Congress makes the following findings:

"(1) The United States is currently engaged in multilateral and bilateral negotiations seeking to achieve treaties or agreements to reduce or eliminate various types of military weapons and to make certain reductions in military personnel levels. These negotiations include negotiations for (A) reductions in strategic forces, conventional armaments, and military personnel levels, (B) regimes for monitoring nuclear testing, and (C) the complete elimination of chemical weapons.

"(2) Requirements for monitoring these possible treaties or agreements will be extensive and will place severe stress on the monitoring capabilities of United States national technical means.

"(3) In the case of the INF Treaty, the United States and the Soviet Union negotiated, and are currently using, on-site inspection procedures to complement and support monitoring by national technical means. Similar on-site inspection procedures are

being negotiated for inclusion in possible future treaties and agreements referred to in paragraph (1).

"(4) During initial implementation of the provisions of the INF Treaty, the United States was not fully prepared for the personnel requirements for the conduct of on-site inspections. The Director of Central Intelligence has stated that on-site inspection requirements for any strategic arms reduction treaty or agreement will be far more extensive than those for the INF Treaty. The number of locations within the Soviet Union that would possibly be subject to on-site inspections under a START agreement have been estimated to be approximately 2,500 (compared to 120 for the INF Treaty).

"(5) On-site inspection procedures are likely to be an integral part of any future arms control treaty or agreement.

"(6) Personnel requirements will be extensive for such on-site inspection procedures, both in terms of numbers of personnel and technical and linguistic skills. Since verification requirements for the INF Treaty are already placing severe stress on current personnel resources, the requirements for verification under START and other possible future treaties and agreements may quickly exceed the current number of verification personnel having necessary technical and language skills.

"(7) There is a clear need for a database of the names of individuals who are members of the Armed Forces or civilian employees of the United States Government, or of other citizens and nationals of the United States, who are qualified (by reason of technical or language skills) to participate in on-site inspections under an arms control treaty or agreement.

"(8) The organization best suited to establish such a database is the On-Site Inspection Agency (OSIA) of the Department of Defense, which was created by the President to implement (for the United States) the on-site inspection provisions of the INF Treaty.

"(b) STATUS OF THE OSIA.—(1) Congress finds that—

"(A) the Director of the OSIA (currently a brigadier general of the Army) is appointed by the Secretary of Defense with the concurrence of the Secretary of State and the approval of the President;

"(B) the Secretary of Defense provides to the Director appropriate policy guidance formulated by the interagency arms control mechanism established by the President;

"(C) most of the personnel of the OSIA are members of the Armed Forces (who are trained and paid by the military departments within the Department of Defense) and include linguists, weapons specialists, and foreign area specialists;

"(D) the Department of Defense provides the OSIA with substantially all of its administrative and logistic support (including military air transportation for inspections in the Soviet Union and Eastern Europe); and

"(E) the facilities in Europe and the United States at which OSIA personnel escort personnel of the Soviet Union conducting inspections under the on-site inspection terms of the INF Treaty are under the jurisdiction of the Department of Defense (or under the jurisdiction of entities that are contractors with the Department of Defense).

"(2) In light of the findings in paragraph (1) and the report submitted pursuant to section 909 of Public Law 100-456 (div. A, title IX, Sept. 29, 1988, 102 Stat. 2056) entitled 'Report to the Congress on U.S. Monitoring and Verification Activities Related to the INF Treaty' (submitted on July 27, 1989), Congress hereby determines that by locating the On-Site Inspection Agency within the Department of Defense for the purposes of administrative and logistic support and operational guidance, and integrating on-site inspection responsibilities under the INF Treaty with existing organizational activities of that Department, the President has been able to ensure that sensitive national security assets are protected and that obligations of the

United States under that treaty are fulfilled in an efficient and cost-effective manner.

"(c) ESTABLISHMENT OF PERSONNEL DATABASE.—(1) In light of the findings in subsection (a), the Director of the On-Site Inspection Agency shall establish a database consisting of the names of individuals who could be assigned or detailed (in the case of Government personnel) or employed (in the case of non-Government personnel) to participate in the conduct of on-site inspections under any future arms control treaty or agreement that includes provisions for such inspections.

"(2) The database should be composed of the names of individuals with skills (including linguistic and technical skills) necessary for the conduct of on-site inspections.

"(d) INF TREATY DEFINED.—For purposes of this section, the term 'INF Treaty' means the Treaty Between the United States and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed in Washington, DC, on December 8, 1987."

#### § 2595a. Policy coordination concerning implementation of on-site inspection provisions

##### (a) Interagency coordination

OSIA should receive policy guidance which is formulated through an interagency mechanism established by the President.

##### (b) Role of Secretary of Defense

The Secretary of Defense should provide to OSIA appropriate policy guidance formulated through the interagency mechanism described in subsection (a) of this section and operational direction, consistent with section 113(b) of title 10.

##### (c) Role of Director

The Director should provide to the interagency mechanism described in subsection (a) of this section appropriate recommendations for policy guidance to OSIA consistent with sections 2551(d), 2562, and 2574(c) of this title.

(Pub. L. 87-297, title V, § 62, as added Pub. L. 101-216, title II, § 201, Dec. 11, 1989, 103 Stat. 1855.)

#### § 2595b. Authorizations of appropriations for On-Site Inspection Agency

There are authorized to be appropriated \$49,830,000 for fiscal year 1990 and \$48,831,000 for fiscal year 1991 for the expenses of the On-Site Inspection Agency in carrying out on-site inspection activities pursuant to the INF Treaty.

(Pub. L. 87-297, title V, § 63, as added Pub. L. 101-216, title II, § 201, Dec. 11, 1989, 103 Stat. 1856.)

#### § 2595c. Definitions

As used in this subchapter—

(1) the term "INF Treaty" means the Treaty Between the United States and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (signed at Washington, December 8, 1987); and

(2) the term "OSIA" means the On-Site Inspection Agency established by the President, or such other agency as may be designated by

the President to carry out the on-site inspection provisions of the INF Treaty.

(Pub. L. 87-297, title V, § 64, as added Pub. L. 101-216, title II, § 201, Dec. 11, 1989, 103 Stat. 1856.)

## CHAPTER 36—MIGRATION AND REFUGEE ASSISTANCE

### CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 2275, 2318 of this title.

§ 2606. Audits of U.S. funds received by the United Nations High Commissioner for Refugees

#### (a) Program audits

Funds may not be available to the United Nations High Commissioner for Refugees (UNHCR) under this chapter or any other Act unless provision is made for—

(1) annual program audits to determine the use of UNHCR funds, including the use of such funds by implementing partners; and

(2) such audits are made available through the Department of State for inspection by the Comptroller General of the United States.

[See main edition for text of (b) and (c)]

(As amended Pub. L. 101-246, title VII, § 701, Feb. 16, 1990, 104 Stat. 74.)

### AMENDMENTS

1990—Subsec. (a). Pub. L. 101-246 amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: "Funds may not be made available to the United Nations High Commissioner for Refugees under this chapter or any other Act unless by June 1, 1986, the High Commissioner provides for—

"(1) annual program audits by an independent consultant, as selected by the Executive Committee of the United Nations High Commissioner for Refugees, to determine the use of such funds, including audits of the use of such funds by private and voluntary organizations; and

"(2) such audits to be made available through the Executive Committee to the Department of State and for inspection by the Comptroller General of the United States."

## CHAPTER 38—DEPARTMENT OF STATE

Sec.

- 2865a. Foreign Service fellowships.
- 2878. Reduction in earmarks if appropriations are less than authorizations.
- 2691. Repealed.
- 2715. Procedures regarding major disasters and incidents abroad affecting United States citizens.
- 2716. Debt collection.
  - (a) Contract authority.
  - (b) Disclosure of delinquent debt to credit reporting agencies.
- 2717. Munitions control registration fees.
  - (a) Munitions control registration fees.
  - (b) Budget Act compliance.
- 2718. Fees received for use of Blair House.
  - (a) Use of fees.
  - (b) Compliance with Budget Act.
- 2719. Grants for training and education in international affairs.

§ 2651. Establishment of Department

### SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101-246, § 1(a), Feb. 16, 1990, 104 Stat. 15, provided that: "This Act [enacting sections 1464a, 1464b, 1465aa to 1465ff, 1475f, 2414a, 2461, 2665a, 2678, 2715 to 2719, 2877a, 4027, 4141, 4141a to 4141c, 4863, and 4864 of this title, amending sections 277a, 277b, 277d-12, 290f, 300, 1481, 1465c, 1469, 1474, 1475e, 2456, 2460, 2806, 2658f, 2689, 2684, 2896, 2698, 2703, 2708, 2709, 2871, 2877, 3905, 3968, 4002, 4010, 4056, 4057, 4068a to 4069c, 4081, 4303, 4304, 4403, 4801, 4802, and 4852 of this title, sections 8345 and 9101 of Title 5, Government Organization and Employees, and section 1101 and 1182 of Title 8, Aliens and Nationality, repealing section 4192 of this title, enacting provisions set out as notes under sections 287e, 1461, 1463, 1465aa, 1465c, 1469, 2151, 2456, 2460, 2651, 2656, 2715, 3941, 3968, 4001, 4140, 4171, 4301, and 4852 of this title, sections 5921 and 5928 of Title 5, and section 1102 of Title 8, amending provisions set out as notes under sections 287, 2151, 2651, and 4851 of this title and section 1182 of Title 8, and repealing provisions set out as notes under sections 2414a and 2656 of this title] may be cited as the 'Foreign Relations Authorization Act, Fiscal Years 1990 and 1991'."

### SHORT TITLE OF 1958 AMENDMENT

Act Aug. 1, 1956, ch. 841, title I, § 48, formerly § 33, as added Oct. 17, 1980, Pub. L. 96-465, title II, § 2201(a), 94 Stat. 2157, and renumbered § 34 and redesignated title I, Aug. 24, 1982, Pub. L. 97-241, title I, § 117, title II, § 202(a), 96 Stat. 279, 282; renumbered § 35 and § 38, Nov. 22, 1983, Pub. L. 98-164, title I, §§ 123, 124, 97 Stat. 1025; renumbered § 37, Oct. 19, 1984, Pub. L. 98-533, title 1, § 102, 98 Stat. 2708; renumbered § 38 and § 39, Aug. 16, 1985, Pub. L. 99-93, title I, §§ 125(a), 128, 99 Stat. 415, 419; renumbered § 40 and § 41, Aug. 27, 1986, Pub. L. 99-399, title V, §§ 504(1), 506(1), 100 Stat. 871; renumbered § 42, Dec. 22, 1987, Pub. L. 100-204, title I, § 126(a)(1), 101 Stat. 1341; renumbered § 43, Nov. 18, 1988, Pub. L. 100-690, title IV, § 4603(1), 102 Stat. 4287; renumbered § 44, § 45, § 46, § 47, and § 48, Feb. 16, 1990, Pub. L. 101-246, title I, §§ 115(c)(1), 117(1), 118(1), 119(1), 150(1), 104 Stat. 23, 25, 26, 42, provided that: "This Act [enacting sections 2662, 2669 to 2672, 2673 to 2680a, 2684, 2687 to 2692, 2695 to 2719, 4301 to 4316, and 4341 to 4343 of this title] may be cited as the 'State Department Basic Authorities Act of 1958'."

### COMPLIANCE WITH CONGRESSIONAL BUDGET ACT

Pub. L. 101-246, title XI, § 1101, Feb. 16, 1990, 104 Stat. 90, provided that:

"(a) **LIMITATION ON SPENDING AUTHORITY.**—Any new spending authority (within the meaning of section 401 of the Congressional Budget Act of 1974 [2 U.S.C. 651]) which is provided under this Act [see Short Title of 1990 Amendment note above] shall be effective for any fiscal year only to the extent or in such amounts as are provided in advance in appropriation Acts.

"(b) **LIMITATION ON CONTRACT AUTHORITY.**—Any authority provided by this Act to enter into contracts shall be effective only—

"(1) to the extent that the budget authority for the obligation to make outlays, which is created by the contract, has been provided in advance by an appropriation Act; or

"(2) to the extent or in such amounts as are provided in advance in appropriation Acts."